

way that addresses a matter brought up with reference to tax cuts earlier, I will yield on our side 10 minutes to the distinguished Senator from Texas.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mr. GRAMM. Mr. President, I thank the distinguished chairman of the Budget Committee. This has been a long, hard process and we are only part way through it. Senator DOMENICI and I don't always agree at every single moment, but my admiration for him constantly grows as the years pass and I have an opportunity to work with him more.

We are getting ready to have a serious debate, and I don't want to in any way infringe on it by getting into any kind of partisan bickering, but I did want to respond to one point that was made earlier when we didn't have time to respond. I can be brief about it.

Some of our colleagues lamented the lack of bipartisanship on the budget. I want to respond, with all due respect, that bipartisanship is a two-way street. Since we started considering the budget, we have had amendments offered by Democrat Members of the Senate to spend another \$697 billion over the next 10 years. This is coming on top of the last 6 months of last year, where we added \$561 billion to the underlying spending projections of the Federal Government over the next 10 years. I just want to say that never in that short a period in American history, to my knowledge, have we ever had a Congress or a Senate propose more spending in a shorter period of time. I guess I would say that you can't have it both ways. You can't have the bipartisanship you seek and, at the same time, propose that level of spending.

Having gotten all that out of my system, let me turn to the issue before us. I thank Senator BYRD for his willingness to talk to Senator DOMENICI, to me, and to others, in trying to find a way out of this conflict. When you serve in the Senate, when you have competing visions for America's future, when you believe in what you are doing, it is easy to get into conflicts that are unavoidable. But when they are avoidable and you don't avoid them, it is not only poor legislative strategy, but I don't think you are living up to the high standards of this great institution.

So when Senator BYRD raised a concern about using reconciliation on the tax bill, even though we feel as strong on our side, based on the precedents that have been used, including the tax increase when President Clinton was President, and the tax cut that was part of reconciliation in 1997, we decided that any time you can accommodate the concerns of another Member without undoing your ability to have a chance to achieve what you want to do, that you ought to do it.

So we undertook what I call a fairly extensive negotiation. We met three or four times off and on. We submitted a proposal in writing. Just to refresh my

colleagues' memory, we have about four or five people who work with this law every day. Senator Byrd wrote most of it. But to most Members, and almost everybody else in America, it is all gibberish.

Basically, under reconciliation, we have a very powerful tool that allows you to have special privilege in implementing your budget. You are going to hear a lot of debate about that and what it was intended to do today.

The point is, it does exist. It is part of the law. Under that procedure, it would mean that the tax bill we bring to the Senate would be subject to these special procedures: There would be 20 hours of debate equally divided. The majority could yield back its 10 hours. So we could end up with 10 hours of debate. We have a strict germaneness rule on amendments. When the debate is over, we have an up-or-down vote.

In naming conferees, we have a time limit on debate. We have an up-or-down vote. That is the procedure that exists in the budget process.

What we had sought to do in trying to work out an accommodation—and I am sorry it did not work, as I know Senator BYRD is. I want people to understand there was a good-faith effort to work this out. We proposed that rather than having 20 hours, we have 50 hours equally divided.

We proposed on first-degree amendments there would be no more than 2 hours, unless the managers yielded more time, that is, if there was real debate, and on second-degree amendments, only 1 hour; that all first- and second-degree amendments be germane; that at the end of the process, we have an up-or-down vote; that on naming conferees, we have a time limit on debate and then have an up-or-down vote; and the same procedure would apply to the conference report.

Some concern was raised that even with this agreement, we could come back and use reconciliation again. It was clear from our intent at the time that if we agreed to a unanimous consent agreement, there would be no need to use reconciliation.

In any case, with the best of intentions, we got together. Differences existed at the end of the process, and no agreement was reached. So we are here basically in a debate and with a vote coming that no one wanted, but here it is.

Mr. President, how much time do I have?

The PRESIDING OFFICER. The Senator has 3 minutes remaining.

Mr. GRAMM. Mr. President, I want to give a very brief synopsis of my argument for the use of reconciliation. We have had an extensive debate on the floor of the Senate. We are going to adopt a budget at some point. I hope it will be to my liking, but we are going to adopt one whether it is to my liking or not. We are going to go to conference. I hope to be a conferee, and I am confident the conference report will be more to my liking if this bill is not.

In any case, we want to be sure we have an opportunity to have an up-or-down vote on the President's tax cut or something very close to it. Obviously, there is no way we can make people vote for it, but we want to be sure that a new President with a new agenda gets an opportunity to have his program voted on.

We obviously are at an impasse as a Senate on naming conferees. When we worked out this powersharing agreement—an extraordinary agreement, in my opinion, and a very generous agreement from the majority leader, in my opinion—one of the things that was not worked out is what do we do about conferences.

We believe if we pass a tax bill in the Senate and it requires a conference, we do not want to get into a position where we simply try to pass the House bill. It may not be the final product we want. That does not make for good law to do something like that. We ought to be able to name conferees, and on a tax bill we adopt, obviously we believe we should have a majority on the conference committee.

Unfortunately, since we could not work out a unanimous consent agreement, the only way we can be assured that we have this opportunity to make the case and have an up-or-down vote is through reconciliation.

When reconciliation was used to raise taxes in President Clinton's first year in office, not one Republican voted for that tax increase, but no one challenged the right of our colleagues who were in the majority then to use reconciliation. No one challenged that right. It was used.

In 1997, in the budget when reconciliation was used to adopt a bipartisan tax cut, that was a hammered out agreement between the Republican majority then in both Houses and President Clinton. No one challenged our right to use reconciliation for that process.

Now we have a situation where we are trying to do for our new President what President Clinton did. We are trying to follow a procedure that we followed in 1997 when no objection was made. We understand strong feelings. We are sorry we could not work this out, but in the end, we believe the process is the right process, and given our inability to work out an agreement, we want to use it. That is why I urge my colleagues to vote to allow us to use the same process that has been used over and over since the budget process first started.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I thank Senator GRAMM for his succinct summary of where we are and what we are about.

The reason this is a serious debate is because it did not take me 28 years being a Senator to learn—in fact, probably in the early years, I learned from my opponent who has been in the Senate 43 years—there are some things